

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JANUARY 3, 1968

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, January 3, 1968, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson and City Attorney Mullen

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the Flag.

minutes of December 20, 1967 were approved as written and mailed on motion of Councilman Walton, Culbertson second.

PUBLIC HEARINGS

INTENT TO
ABANDON
EASEMENT IN
ELMHAVEN SUBD.

Notice thereof having been published and posted in accordance with law, Mayor Kirsten called for hearing on the intention to vacate the easement between Lots 37 and 38, Elmhaven Subdivision. There was no one present who wished to speak in favor of or against the abandonment. Since the Planning Commission has not had an opportunity to make a recommendation on this matter as required by the Government Code, the hearing was continued to January 17, 1968 on motion of Councilman Walton, Hunnell second.

ART CENTER
ANNIVERSARY

Mrs. Melva Zweigle, representing the Lodi Art Center, extended an invitation to the City Council to attend the Center's Tenth Anniversary meeting which is to be held on January 9 at 8 p.m. at the Art Center, 14 1/2 West Pine Street. Mayor Kirsten thanked Mrs. Zweigle for the invitation and congratulated the Art Center on its Tenth Anniversary and for its contribution to the culture of the community.

COMMUNICATIONS

CHAMBER RE The Board of Directors of the Lodi District Chamber
RENT SUPPLEMENT of Commerce has passed a resolution opposing any
 proposed rent supplement program for the City of Lodi
 and requests that the City Council also oppose any
 such program.

M. O. RAY, JR.
RE HOUSE AT
939 WELLSWOOD

A letter was read from Maurice O. Ray, Jr., 1201 Edgewood Drive, stating he would agree to remove the non-conforming house at 939 Wellswood Avenue or make the changes necessary to have it conform providing the City would pay him the sum of \$2500. After short discussion, it was moved by Councilman Culbertson, Hunnell second, that the proposal of Mr. Ray be rejected. The motion carried with Councilman Walton abstaining. The offer made by the Council to pay Mr. Ray \$2300 if the house is removed within 60 days still stands.

V. BAKER
REQUESTS
ALLEY
ABANDONMENT

RES. NO. 3140

Mr. Virgil A. Baker, President of Baker's Nurseries, 118 West Lodi Avenue, requests that the alley in the block bounded by Lodi Avenue, Church, Chestnut and School Streets be abandoned. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 3140 declaring the Council's intention to abandon said alley and setting public hearing thereon for March 6, 1968.

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APPEAL RE
FAMILY TYPE
BILLIARD
PARLORS

A communication from James B. Atkinson, Attorney at Law, Stockton, appealed the decision of the City Planning Commission in denying his request for an amendment to the City Code in order to permit family type billiard parlors in C-1 Neighborhood Commercial Districts. On motion of Councilman Culbertson, Hunnell second, the appeal was set for public hearing on January 17, 1968.

ABC LICENSE

A notice was read of Application for Alcoholic Beverage License, Person to Person Transfer, Off Sale Beer and Wine, from Dawan E. Heap to Donald E. and Eileen M. Welch, Speedee 7/eleven No. 528 at 401 North California Street.

BOB MONAGAN
RE AJR 29

RES. NO. 3141

Mr. Graves referred to the letter received by the Council from Assemblyman Bob Monagan requesting Council support of Assembly Joint Resolution 29 urging the Congress of the United States to enact a tax-sharing program in order that more tax revenues will be available to state and local governments. On motion of Councilman Walton, Culbertson second, the City Council adopted Resolution No. 3141 favoring the concept of AJR 29 and requesting the Congress to enact some form of Federal tax sharing program.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$351,117.17 were approved on motion of Councilman Walton, Culbertson second.

FHA RENT
SUPPLEMENT
PROGRAM

The request of Robert D. Houston and John F. Capell for a resolution by the City Council indicating that development of an apartment complex under the FHA 221-D-3 program (rent supplement) had been continued from November 1, 1967 to this meeting in order to obtain information on the extent of the welfare program within the City of Lodi. City Manager Graves reported that very little information was available from the San Joaquin County Welfare Department as the County's reports were for the Lodi area and not the City specifically. He also pointed out that many of the welfare recipients would not qualify for assistance under the rent supplement program under discussion because of the restrictions of this particular program. He said it appears that the welfare load in Lodi is relatively low and both the Sacramento and San Francisco offices of FHA had not been encouraging as far as participation in Lodi is concerned because the funds for the rent supplement program are limited and the need is more acute in other areas. Mr. Clint Hoellworth, 719 South Garfield Street, spoke of the need for more low-cost housing in Lodi. Mr. Stan Ellsworth, 629 South Orange Avenue, a social worker for the Department of Public Assistance, said he was speaking as an individual and said he felt from his own experience there was a need for housing in Lodi. Mr. Orwin Dow, 8 North Rose Street, said there were certain people in the City needing help and it was a problem with which the community must cope. Rev. William Killian, St. Anne's Catholic Church, said from his experience, particularly with the Mexican-Americans in the community, substandard housing was a problem and he hoped the Council would be open to other approaches and lend its support. Mrs. Vandepas, 18 North Cambridge, said there was a need for low rentals and perhaps the City should relax some of its building restrictions.

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Councilman Walton stated that since Mr. Capell and Mr. Houston were not present at this meeting, he assumed they had dropped their interest in the rent supplement program. City Manager Graves said that Mr. Capell and Mr. Houston had evidently concluded they would not have much chance of getting funds from FHA for such a program. Councilman Culbertson stated that the discussion had served to point out a need for low cost housing, but that the request of Mr. Capell and Mr. Houston had apparently been withdrawn and he moved that the Council go no further with the request. The motion was seconded by Councilman Hunnell and carried.

STORM
DRAINAGE
POLICY

RES. NO. 3142

Mr. Graves reviewed the "Storm Drain Participation Study" submitted by the Director of Public Works, copies of which had been given to members of the Council. In the past the Council had adopted a flat fee for drainage and this fee had been amended several times. In order to equalize the storm drainage responsibility of each subdivision or development, the Director was recommending the present fees be amended to provide for an acreage charge of \$925 per acre of property developed and that each subdivision or development be credited for all storm drain facilities installed within public streets or right of way as follows:

12" pipe	\$ 6.50 per lineal foot
15" pipe	\$ 7.00 per lineal foot
18" pipe	\$ 8.50 per lineal foot
21" pipe	\$ 9.50 per lineal foot
24" pipe	\$10.50 per lineal foot
27" pipe	\$11.50 per lineal foot
30" pipe	\$ 8.00 per lineal foot
36" pipe	\$ 9.00 per lineal foot
Manholes	\$400 each

Whenever the charges exceed the credits the developer will pay the City the balance at the time of development and whenever the credits exceed the charges the City will reimburse the developer following acceptance of the work. Mr. Graves said this would cover only the drainage in subdivisions and would not provide for recovering funds on the outfall lines. Councilman Walton moved that the suggestion of the Public Works Director be accepted by the adoption of Resolution No. 3142 setting forth the rates recommended and that it be effective immediately for all developments except those subdivisions having a tentative map approved by the Planning Commission prior to January 3, 1968. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

LIABILITY
INSURANCE
COVERAGE
INCREASED

City Manager Graves reported that Mr. Max Elson, the City's Agent of Record, had obtained figures on the cost of increasing the umbrella coverage on liability insurance to \$2 million or to \$3 million. The total cost for coverage of \$2 million plus the basic policy would be \$18,823 and on \$3 million plus the basic policy, \$19,548. The basic policy and \$1 million umbrella policy accepted at the previous meeting has a total premium of \$17,348. Councilman Brown moved that the umbrella coverage be increased to \$2 million which would make a total cost of \$18,823 for liability insurance in 1968. The motion was seconded by Councilman Walton and carried.

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AWARD -
LOWER SACTO
RD SANITARY
SEWER

RES. NO. 3143

The following bids were received on the Lower
Sacramento Road Sanitary Sewer:

Kirkwood-Bly Co.	\$ 36,200
W. M. Lyles & Co.	37,008
A. Teichert & Son	39,970
Industrial Electric	40,400
Saunders Construction	44,308
Walter E. Sims	45,400
R. Gould & Son	56,800

Mr. Graves recommended that award be made to the low bidder. On motion of Councilman Culbertson, Brown second, the City Council adopted Resolution No. 3143 awarding the contract for construction of the Lower Sacramento Road Sanitary Sewer to the low bidder, Kirkwood-Bly Company in accordance with their bid.

BESSIE L.
BENNETT TO
ACCEPT DEEDS

RES. NO. 3144

Councilman Hunnell moved the adoption of Resolution No. 3144 authorizing Bessie L. Bennett to accept deeds and grants on behalf of the City of Lodi and rescinding all resolutions in conflict therewith. The motion was seconded by Councilman Brown and carried by unanimous vote.

STORM DRAIN
PROBLEM -
TURNER RD

Mr. Graves read the report from the Department of Public Works regarding the storm drainage problem on Turner Road caused by the development of Lakewood No. 4 subdivision. There is an existing 15" line in Turner Road which slopes generally in two directions and, in the area close to the proposed catch basin construction, slopes sharply downward to avoid an existing gas line. In October the problem was brought to the attention of the engineer for the subdivision, Mr. Cliff Gatzert, who proposed a solution unacceptable to the Public Works Department. The Department has since suggested several alternates to remedy the situation to Mr. Gatzert who has not accepted the alternates or offered an acceptable solution. The Director of Public Works showed the Council three drawings, one showing the present situation and the other two, the alternates. The Council felt the third drawing showing a full gravity catch basin line without intermediate manhole. was preferable and Councilman Culbertson moved that the subdivider be instructed to proceed with the installation of the storm drainage as shown on the third drawing and within 15 days or the City will take action to close the hole at the subdivider's expense. The motion was seconded by Councilman Brown and carried.

PURCHASE
HALLINAN
PROPERTY
WEST OF
STADIUM

RES. NO. 3126

City Manager Graves presented a proposed contract for the purchase of approximately eight acres of the Hallinan property lying west of the Lawrence Park Stadium. The Hallinan's agree to accept \$100,000 for the property, payable in yearly installments of \$5,000. He read Resolution No. 3126 creating a special fund to be known as the "Hallinan Land Purchase Fund" and authorizing transfer of \$100,000 into this fund from the City's general funds. Councilman Walton moved that the Mayor and City Clerk be authorized to execute the contract as presented for purchase of the Hallinan property. The motion was seconded by Councilman Culbertson and carried. The Council then adopted Resolution No. 3126 creating the "Hallinan Land Purchase Fund" and authorizing transfer of \$100,000 into said fund on motion of Councilman Hunnell, Walton second.

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POPULATION
ESTIMATE
AUTHORIZED

Mr. Graves recommended that the City obtain a population estimate from the State Department of Finance. The cost would be \$340, but would be outweighed by the resultant increase in gas tax funds which is on a per capita basis. On motion of Councilman Brown, Walton second, the Council authorized the City staff to contract with the State Department of Finance for a population estimate.

ORDINANCES

REZONING SOUTH
1/2 BLK BOUNDED
BY LODI, CHURCH
CHESTNUT AND
SCHOOL STREETS
TO C-1

ORD. NO. 853
ADOPTED

ORDINANCE NO. 853, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE SOUTH ONE-HALF OF THE BLOCK BOUNDED BY WEST LODI AVENUE, SOUTH CHURCH STREET, CHESTNUT STREET AND SOUTH SCHOOL STREET TO BE IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT," having been introduced at the regular meeting of December 20, 1967, was brought up for passage on motion of Councilman Brown, Walton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN

Noes: Councilmen - None

Absent: Councilmen - None

PARKING LOT
EXCHANGE WITH
BANK OF AMERICA

City Attorney Mullen informed the Council that the transfer of lots with Bank of America was in escrow and should be completed shortly. According to Director of Public Works Jones, the Bank has installed the sprinkler system and concrete in the lot being transferred to the City and the City will do the landscaping.

HAM-LODI
INTERSECTION

Councilman Hunnell voiced his concern over the condition of the Ham Lane - Lodi Avenue intersection. The contractor has not completed his work and the intersection is a hazard to traffic. After discussion, it was moved by Councilman Culbertson that the Director of Public Works give the Council at its next meeting a report on progress of the work at the Ham Lane - Lodi Avenue intersection and that he give what he considers a reasonable time for completion of the project. The motion was seconded by Councilman Hunnell and carried, with Councilman Brown voting no.

LAFC -
SPHERES OF
INFLUENCE

Councilman Culbertson reported that the San Joaquin County Local Agency Formation Commission would be having a second meeting before long to discuss spheres of influence and wanted to have the thoughts of the city councils and Board of Supervisors. He said that the State is asking that spheres of influence be set up. Material is to be sent to members of the City Council for discussion at the next regular meeting.

ADJOURNMENT

There being no further business, the meeting adjourned on motion of Councilman Brown at 10:30 p.m.

Beatrice Garibaldi

Attest: BEATRICE GARIBALDI
City Clerk